

Previously **JS-6**

**United States District Court  
Central District of California**

NANCY JEAN HOLT, derivatively on  
behalf of VALUECLICK, INC.,

Plaintiff,

v.

DAVID S. BUZBY; JAMES A.  
CROUTHAMEL; JOHN GIULIANI;  
MARTIN HART; JAMES R. PETERS;  
JEFFREY F. RAYPORT; BRIAN A.  
SMITH; JAMES ZARLEY,

Defendants.

DENNIS PALKON, derivatively on behalf  
of VALUECLICK, INC.,

Plaintiff,

v.

JOHN GIULIANI; JOHN P. PITSTICK;  
PETER WOLFERT; JAMES R.  
ZARLEY; MARTIN T. HART; JAMES

Case No. 2:13-cv-09024-ODW(SHx)

**ORDER DENYING MOTION TO  
DISMISS AS MOOT [20] AND  
GRANTING JOINT STIPULATION  
VOLUNTARILY DISMISSING  
ACTION WITHOUT PREJUDICE**

Case No. 2:13-cv-09148-ODW(SHx)


1 A. CROUTHAMEL; JEFFREY F.  
2 RAYPORT; JAMES R. PETERS; DAVID  
3 S. BUZBY; VALUECLICK, INC.,  
4 Defendants.

5 Pursuant to the parties' Joint Stipulation Voluntarily Dismissing Action Without  
6 Prejudice, the Court hereby **ORDERS** that:

- 7 1. The pending Motion to Dismiss is **DENIED AS MOOT** (ECF No. 20);  
8 2. The above-captioned actions are dismissed without prejudice;  
9 3. For the reasons stated in the Joint Stipulation, notice of said dismissal is not  
10 required;  
11 4. Each party shall bear their own costs and fees; and  
12 5. The Clerk of Court shall close these actions.

13 **IT IS SO ORDERED.**

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15 May 30, 2014

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18 **OTIS D. WRIGHT, II**  
19 **UNITED STATES DISTRICT JUDGE**  
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